

Message Text

UNCLASSIFIED

PAGE 01 GENEVA 01998 01 OF 02 161848Z

ACTION IO-13

INFO OCT-01 ISO-00 CIAE-00 EB-08 INR-07 LAB-04 NSAE-00

SIL-01 L-03 DODE-00 PA-02 USIA-15 PRS-01 SP-02 AF-08

ARA-10 EA-09 EUR-12 NEA-10 /106 W

-----161933Z 065163 /43

R 161805Z MAR 77

FM USMISSION GENEVA

TO SECSTATE WASHDC 5978

INFO USDOC WASHDC

DEPT OF TREASURY WASHDC

UNCLAS SECTION 1 OF 2 GENEVA 1998

PASS KAUZLARICH/EB

PASS LABOR FOR AVERY

COMMERCE FOR NEWMANN

TREASURY FOR CLAPP

E.O. 11652: N/A

TAGS: EINV, ELAB

SUBJECT: ILO - TRIPARTITE ADVISORY PREPARATORY MEETING ON THE
RELATIONSHIP OF MULTINATIONAL ENTERPRISES AND SOCIAL
POLICY

1. ILO MEETING NOW DISCUSSING MAIN ELEMENTS OF DECLARATION OF
PRINCIPLES EMBODYING POLICY ISSUES IN FIELD OF EMPLOYMENT AND
SOCIAL POLICY. DISCUSSION BASED ON TENTATIVE DRAFT PREPARED BY
SECRETARIAT. MEETING GENERALLY HARMONIOUS AND PROGRESS BEING
MADE IN PRODUCING AGREED DRAFTS ON MAIN SECTIONS. TEXT NOT YET
AVAILABLE. WILL REPORT STATUS AS DISCUSSIONS PROGRESS.

2. FIRST TWO DAYS SPENT ON DISCUSSING GENERAL PRINCIPLES.
FOLLOWING FIRST DRAFT, NOT YET AGREED BY PARTIES, JUST COMPLETED
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 GENEVA 01998 01 OF 02 161848Z

BY SECRETARIAT. TEXT WOULD PRECEDE MAIN POLICY SECTIONS.
VERBATIM TEXT FOLLOWS: BEGIN TEXT:

GENERAL PROVISIONS

1. MULTINATIONAL ENTERPRISES PLAY AN IMPORTANT PART IN THE
ECONOMIES OF MOST COUNTRIES AND IN INTERNATIONAL ECONOMIC RELATIONS,

WHICH IS OF INCREASING INTEREST TO GOVERNMENTS AS WELL AS TO EMPLOYERS AND WORKERS AND THEIR RESPECTIVE ORGANISATIONS. THROUGH INTERNATIONAL DIRECT INVESTMENT AND OTHER MEANS, SUCH ENTERPRISES CAN BRING SUBSTANTIAL BENEFITS TO HOME AND HOST COUNTRIES BY CONTRIBUTING TO THE EFFICIENT UTILISATION OF CAPITAL, TECHNOLOGY AND LABOUR. THEY CAN ALSO MAKE AN IMPORTANT CONTRIBUTION TO THE PROMOTION OF ECONOMIC AND SOCIAL WELFARE, WITHIN THE FRAMEWORK OF DEVELOPMENT POLICIES ESTABLISHED BY GOVERNMENTS; TO THE IMPROVEMENT OF LIVING STANDARDS AND THE SATISFACTION OF BASIC NEEDS; TO THE CREATION OF EMPLOYMENT OPPORTUNITIES, BOTH DIRECTLY AND INDIRECTLY; AND TO THE ENJOYMENT OF BASIC HUMAN RIGHTS THROUGHOUT THE WORLD. ON THE OTHER HAND, THE ADVANCES MADE BY MULTINATIONAL ENTERPRISES IN ORGANISING THEIR OPERATIONS BEYOND THE NATIONAL FRAMEWORK MAY LEAD TO ABUSE OF CONCENTRATIONS OF ECONOMIC POWER AND TO CONFLICTS WITH NATIONAL POLICY OBJECTIVES AND WITH THE INTEREST OF THE WORKERS. IN ADDITION, THE COMPLEXITY OF MULTINATIONAL ENTERPRISES AND THE DIFFICULTY OF CLEARLY PERCEIVING THEIR DIVERSE STRUCTURES, OPERATIONS AND POLICIES SOMETIMES GIVE RISE TO CONCERN EITHER IN THE HOME OR IN THE HOST COUNTRIES OR IN BOTH.

2. THE AIM OF THIS TRIPARTITE DECLARATION OF PRINCIPLES IS TO ENCOURAGE THE POSITIVE CONTRIBUTION WHICH MULTINATIONAL ENTERPRISES CAN MAKE TO ECONOMIC AND SOCIAL PROGRESS AND TO MINIMISE AND RESOLVE THE DIFFICULTIES TO WHICH THEIR VARIOUS OPERATIONS MAY GIVE RISE.

3. THIS AIM WILL BE FURTHERED BY APPROPRIATE LAWS AND POLICIES, MEASURES AND ACTIONS ADOPTED BY THE GOVERNMENTS, THE EMPLOYERS' AND WORKERS' ORGANISATIONS OF BOTH HOME AND HOST COUNTRIES AND BY THE MULTINATIONAL ENTERPRISES THEMSELVES, AS WELL AS BY CO-OPERATION

UNCLASSIFIED

PAGE 03 GENEVA 01998 01 OF 02 161848Z

AMONG THE GOVERNMENTS AND THE EMPLOYERS' AND WORKERS' ORGANISATIONS OF ALL COUNTRIES.

4. THE PRINCIPLES SET OUT IN THIS TRIPARTITE DECLARATION ARE COMMENDED TO THE GOVERNMENTS, THE EMPLOYERS' AND WORKERS' ORGANISATIONS OF HOME AND HOST COUNTRIES AND TO THE MULTINATIONAL ENTERPRISES THEMSELVES. THEY LAY DOWN STANDARDS FOR THE SOCIAL POLICIES AND ACTIVITIES OF THESE GOVERNMENTS, ORGANISATIONS AND ENTERPRISES.

5. THESE PRINCIPLES ARE INTENDED TO HELP THE GOVERNMENTS, THE EMPLOYERS' AND WORKERS' ORGANISATIONS AND THE MULTINATIONAL ENTERPRISES TO TAKE SUCH MEASURES AND ACTIONS AND ADOPT SUCH SOCIAL POLICIES INCLUDING THOSE BASED ON THE PRINCIPLES Laid DOWN IN THE CONSTITUTION AND THE RELEVANT CONVENTIONS AND RECOMMENDATIONS OF THE ILO, AS WOULD FURTHER SOCIAL PROGRESS. THEY SHOULD ALSO HELP COUNTRIES TO DEVELOP APPROPRIATE FORMS OF CO-OPERATION AMONG THEMSELVES WITH A VIEW TO FURTHERING THE AIM OF THIS TRIPARTITE DECLARATION.

DEFINITION

6. TO SERVE ITS PURPOSE THIS TRIPARTITE DECLARATION DOES NOT REQUIRE A PRECISE LEGAL DEFINITION OF MULTINATIONAL ENTERPRISES. THESE INCLUDE ENTERPRISES WHICH OWN OR CONTROL PRODUCTION, DISTRIBUTION, SERVICES OR OTHER FACILITIES OUTSIDE THE COUNTRY IN WHICH THEY ARE BASED. THE DEGREE OF AUTONOMY OF EACH ENTITY IN RELATION TO THE OTHERS VARIES WIDELY FROM ONE MULTINATIONAL ENTERPRISE TO ANOTHER, DEPENDING ON THE NATURE OF THE LINKS BETWEEN SUCH ENTITIES AND THEIR FIELDS OF ACTIVITY AND HAVING REGARD TO THE GREAT DIVERSITY IN THE FORM OF OWNERSHIP, IN THE SIZE, IN THE NATURE AND LOCATION OF THE OPERATIONS OF THE ENTERPRISES CONCERNED.

UNLESS OTHERWISE SPECIFIED, THE WORD "MULTINATIONAL ENTERPRISE" IS USED IN THIS TRIPARTITE DECLARATION TO DESIGNATE THE VARIOUS ENTITIES (PARENT COMPANIES OR LOCAL ENTITIES OR BOTH UNCLASSIFIED

UNCLASSIFIED

PAGE 04 GENEVA 01998 01 OF 02 161848Z

OR THE ORGANISATION AS A WHOLE) ACCORDING TO THE DISTRIBUTION OF RESPONSIBILITIES AMONG THEM, IN THE EXPECTATION THAT THEY WILL CO-OPERATE AND PROVIDE ASSISTANCE TO ONE ANOTHER AS NECESSARY TO FACILITATE OBSERVANCE OF THE PRINCIPLES LAID DOWN IN THIS TRIPARTITE DECLARATION.

UNCLASSIFIED

NNN

UNCLASSIFIED

PAGE 01 GENEVA 01998 02 OF 02 161907Z
ACTION IO-13

INFO OCT-01 ISO-00 CIAE-00 EB-08 INR-07 LAB-04 NSAE-00
SIL-01 L-03 DODE-00 PA-02 USIA-15 PRS-01 SP-02 AF-08
ARA-10 EA-09 EUR-12 NEA-10 /106 W
-----161932Z 065576 /43

R 161805Z MAR 77
FM USMISSION GENEVA
TO SECSTATE WASHDC 5979
INFO USDOC WASHDC
UEATRS/DEPT OF TREASURY WASHDC

UNCLAS SECTION 2 OF 2 GENEVA 1998

PASS KAUZLARICH/EB

PASS LABOR FOR AVERY

COMMERCE FOR NEWMANN

TREASURY FOR CLAPP

LEGAL NATURE AND SCOPE

7. THIS DECLARATION SETS OUT PRINCIPLES IN THE FIELDS OF EMPLOYMENT AND TRAINING, CONDITIONS OF WORK AND LIFE AND INDUSTRIAL RELATIONS WHICH GOVERNMENTS, ENTERPRISES AND WORKERS' ORGANISATIONS ARE RECOMMENDED TO OBSERVE ON A VOLUNTARY BASIS; THE DECLARATION SHOULD BE EFFECTIVE WITH RESPECT TO ALL MULTINATIONAL ENTERPRISES WHETHER THEY ARE OF PUBLIC, MIXED OR PRIVATE OWNERSHIP.

GENERAL POLICIES

8. ALL THE PARTIES CONCERNED BY THIS DECLARATION SHOULD RESPECT THE SOVEREIGN RIGHTS OF STATES, OBSERVE THE RELEVANT NATIONAL LAWS AND REGULATIONS, ABIDE BY LOCAL PRACTICES AND GIVE DUE
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 GENEVA 01998 02 OF 02 161907Z

CONSIDERATION TO RELEVANT INTERNATIONAL STANDARDS. THEY SHOULD KEEP IN MIND THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND THE CORRESPONDING INTERNATIONAL COVENANTS ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS AS WELL AS THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION AND ITS PRINCIPLES ACCORDING TO WHICH FREEDOM OF EXPRESSION AND ASSOCIATION ARE ESSENTIAL TO SUSTAINED PROGRESS. REFERENCE SHOULD BE MADE FOR GUIDANCE ON SOCIAL POLICIES TO INTERNATIONAL LABOUR CONVENTIONS AND RECOMMENDATIONS, PARTICULARLY TO CONVENTIONS NOS. 87, 98, 111 AND 122 AND RECOMMENDATIONS NOS. 111, 119 AND 122, WHEREVER LEGAL, POLITICAL AND ECONOMIC CONSIDERATIONS PERMIT.

9. GOVERNMENTS WHICH HAVE NOT YET RATIFIED CONVENTIONS NOS. 87, 98, 111 AND 122 SHOULD BE URGED TO DO SO AND IN ANY EVENT TO APPLY, THROUGH THEIR NATIONAL POLICIES, THE PRINCIPLES EMBODIED THEREIN. GOVERNMENTS SHOULD ALSO BE URGED TO OBSERVE IN THEIR NATIONAL POLICIES THE PRINCIPLES OF RECOMMENDATIONS NOS. 111, 119 AND 122.

10. MULTINATIONAL ENTERPRISES SHOULD TAKE FULLY INTO ACCOUNT ESTABLISHED GENERAL POLICY OBJECTIVES OF THE COUNTRIES IN WHICH THEY OPERATE; THEIR ACTIVITIES SHOULD BE IN HARMONY WITH THE DEVELOPMENT PRIORITIES AND SOCIAL AIMS AND STRUCTURE OF THE HOST COUNTRY. TO THIS EFFECT, CONSULTATION SHOULD BE HELD BETWEEN MULTINATIONAL ENTERPRISES, THE GOVERNMENT AND, WHEREVER APPROPRIATE, THE NATIONAL EMPLOYERS' AND WORKERS' ORGANISATIONS CONCERNED.

11. THE PRINCIPLES LAID DOWN IN THIS DECLARATION SHOULD NOT AIM AT INTRODUCING OR MAINTAINING INEQUALITIES OF TREATMENT BETWEEN MULTINATIONAL AND NATIONAL ENTERPRISES SHOULD BE SUBJECT TO THE SAME EXPECTATIONS IN RESPECT OF THEIR CONDUCT IN GENERAL AND THEIR SOCIAL PRACTICES IN PARTICULAR WHEREVER THE PRINCIPLES OF THIS DECLARATION ARE RELEVANT TO BOTH.

12. MULTINATIONAL ENTERPRISES AND GOVERNMENTS SHOULD HONOUR COMMITMENTS ENTERED INTO IN CONFORMITY WITH THE NATIONAL LAW AND ACCEPTED INTERNATIONAL OBLIGATIONS, IN CONNECTION WITH LABOUR
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 GENEVA 01998 02 OF 02 161907Z

ASPECTS OF THE ENTERPRISES' ACTIVITIES.

13. GOVERNMENTS OF HOME COUNTRIES SHOULD TAKE APPROPRIATE MASURES TO PROMOTE GOOD SOCIAL PRACTICE IN ACCORDANCE WITH THIS DECLARATION OF PRINCIPLES, HAVING REGARD TO SOCIAL AND LABOUR LAW, REGULATIONS AND PRACTICES IN HOST COUNTRIES AS WELL AS TO RELEVANT INTERNATIONAL STANDARDS. THEY SHOULD BE PREPARED TO RESPOND CONSTRUCTIVELY TO REQUESTS MADE BY THE HOST COUNTRY GOVERNMENT FOR CONSULTATION ON SOCIAL POLICY ASPECTS OF THE OPERATIONS OF MULTINATIONAL ENTERPRISES ORIGINATION IN THEIR COUNTRY.

END TEXT. SORENSON

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, LABOR RELATIONS, PLANNING MEETINGS, MULTINATIONAL CORPORATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 16-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977GENEVA01998
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770090-0699
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770355/aaaabwgr.tel
Line Count: 253
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 62f080b7-c288-dd11-92da-001cc4696bcc
Office: ACTION IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 06-Oct-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3095708
Secure: OPEN
Status: NATIVE
Subject: ILO - TRIPARTITE ADVISORY PREPARATORY MEETING ON THE RELATIONSHIP OF MULTINATIONAL ENTERPRISES AND SOCIAL POLICY
TAGS: EINV, ELAB, ILO
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/62f080b7-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009